



2874

PATENT APPLICATION**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q67362

Naoki KIMURA

Appln. No.: 10/067,337

Group Art Unit: 2874

Confirmation No.: 4604

Examiner: Sung H. PAK

Filed: February 7, 2002

For: OPTICAL SEMICONDUCTOR MODULE EQUIPPED WITH A LIGHT MONITOR
FOR MONITORING SIGNAL LIGHT EMITTED FROM A LIGHT EMITTING
ELEMENT

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby
notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached
PTO/SB/08 A & B (modified) form and listed herein and which the Examiner may deem
material to patentability of the claims of the above-identified application.

1. Japanese Unexamined Patent Application Publication No. 61-123190, published
June 11, 1986, with English abstract.
2. United States Patent No. 4,815,081, issued March 21, 1989.
3. United Kingdom Patent Application No. 2 197 122 A, published May 11, 1988.
4. United States Patent No. 4,776,661, issued October 11, 1988

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5. European Patent Application No. 0 319 230 A1, published June 7, 1989.

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant is filing concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

The present Information Disclosure Statement is being filed thirty days or fewer from the communication from a foreign patent office and a Statement Under 37 C.F.R. § 1.704(d) is attached.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses here with a copy of a corresponding European Search Report dated September 30, 2003 which cites such documents and indicates the degree of relevance found by the foreign office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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U.S. Appln. No.: 10/067,337

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

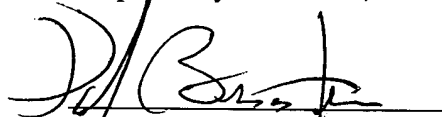
SUGHRUE MION, PLLC
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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'H. Bernstein', is written over a horizontal line.

Howard L. Bernstein
Registration No. 25,665

Date: October 27, 2003



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SIGNAL LIGHT EMITTED FROM A LIGHT EMITTING ELEMENT

STATEMENT UNDER 37 C.F.R. § 1.704(d)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, that the communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of said Information Disclosure Statement.

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STATEMENT UNDER 37 C.F.R. § 1.97(e)

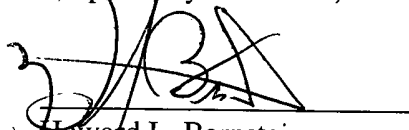
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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The undersigned hereby states, upon information and belief:

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concurrently herewith was first cited in any communication from a foreign patent office in a
counterpart foreign application not more than three months prior to the filing of said Information
Disclosure Statement.

Respectfully submitted,


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Substitute for Form 1449 A & B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/067,337
Confirmation Number	4604
Filing Date	February 7, 2002
First Named Inventor	Naoki KIMURA
Art Unit	2874
Examiner Name	Sung H. PAK
Attorney Docket Number	Q67362

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 4,815,081	A	03-21-1989	Mahlein et al.
		US 4,776,661	A	10-11-1988	Handa
		US			
		US			
		US			
		US			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		JP	61-123190	A	07-11-1986		abstract
		GB	2 197 122	A	05-11-1988		
		EP	0 319 230	A	06-07-1989		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.